



Standards Committee

Monday, 14 November 2022

Review of Councillor Complaint Form

Report of the Monitoring Officer

1. Purpose of report

- 1.1. Following the work undertaken by the Committee to review the Councillor Code of Conduct; it follows that the Committee should go on to review the Councillor Complaint Form and guidance, and the process for lodging a complaint to ensure it accords with the revisions made to the updated Code of Conduct and is fit for purpose in all other senses.
- 1.2. Several updates to the existing complaint form, guidance, and the process for submitting a complaint are proposed. The Committee's views are sought and there will be an opportunity at the meeting for members of the Committee to put forward their own ideas for discussion.

2. Recommendation

It is RECOMMENDED that the Standards Committee:

- a) consider and discuss the proposed changes suggested by officers at paragraph 4.1 and any additional ideas Committee members may put forward; and
- b) give officers a clear mandate to move forward with the revisions to the Councillor Complaint form and guidance and the process for making a complaint.

3. Reasons for Recommendation

To enable officers to update the Councillor Complaint Form and guidance, and the process for making a complaint in line with the recently adopted Code of Conduct and to ensure it remains fit for purpose.

4. Supporting Information

- 4.1. The following revisions are proposed by officers:

Complaint Form

Current form	Revision proposed
The form is currently downloadable to be completed and emailed to the Monitoring Officer (MO), or printed off, filled in and posted to the MO, or there is a web based version.	Only give the option to complete the web-based version of the form. (Is this reasonable or should it still be an option to download so people can post it in if they wish to?)
The form currently has no privacy notice – other Local Authorities include one.	Add a privacy notice
The form currently has no Equalities Monitoring Form – other Local Authorities include one	Add an Equalities Monitoring Form
The form is currently entitled ‘Complaints Form’	Amend title of form to ‘Councillor Complaints Form – Alleged Breaches of the Members’ Code of Conduct.’
There is currently no introductory text/link to guidance within the form.	Add introductory text and/or reference and have a link to the guidance document.
The form currently asks the complainant to provide an evening telephone number.	Remove this requirement as this is considered unnecessary.
The form currently advises that we inform the Member and the PC/TC where appropriate that a complaint has been made about them.	Consider whether we feel this always needs to be done, if complaint is not re code of conduct etc is it necessary to inform the Member?
The form currently uses ‘Member’ throughout.	Replace Member with Councillor which more people may be familiar with as a term.

Complaint Form Guidance

Existing Guidance	Revisions Proposed
Appendices are out of date following recent updates to the Councillor Code of Conduct. There are also two separate documents – one relating to the public interest test and the other to the Council’s Unreasonable and Vexatious Complaints policy which are not currently appendices.	Replace existing Appendices with updated versions and include the Public Interest Test information and Vexatious complaints information as new appendices.
Referencing scheme is not consistent throughout the document	Amend the referencing system
Last sentence of paragraph 2 in Section 2 - The Code of Conduct is poorly worded	Replace the word ‘request’ with ‘ask’ within the paragraph
Section 3, paragraph 3 currently gives members of the public the option to download the form or obtain from the Monitoring Officer.	Remove these options – members of the public should use the online form.
There is currently no reference to the	Add a paragraph to explain what this is

vexatious complaints process within the guidance	and add a new appendix containing this process (as set out above)
There is an additional full stop at the end of the first sentence in paragraph 7.1	Remove additional full stop
In section 12 no contact details are provided for the Local Government Ombudsman	Provide contact details for the Ombudsman
The list of Appendices at the end of the document only refers to Appendix 1 and 2	Update the list to include new appendices
The date of the last review of the document is November 2012	Update to September 2022

Process for submitting a Complaint

Currently the form sits at the bottom of the general complaints page and is not easy to find.	Add a paragraph at the top of this page explaining that there are 2 separate forms – one re complaints about staff, one re complaints about members and have a link for each which takes you to the relevant section of the page.
The guidance which accompanies the CCF does not sit on the same page as the form, nor is there a link on the page to take you to it.	Add a link to the guidance. (NB guidance itself should also contain weblinks to relevant parts of the Code of Conduct)
The page on which the guidance sits currently has two copies of the guidance. There are then two separate documents – one relating to the public interest test and the Council's Unreasonable and Vexatious Complaints policy.	Delete both existing copies and replace with updated guidance which incorporates changes proposed as set out below and both the public interest test appendix and a copy of the Unreasonable and Vexatious Complaints policy.

- 4.2. The Committee is asked to comment on the proposed revisions and to put forward any additional ideas they may have in relation to changes to the form, guidance, or process.

5. Risks and Uncertainties

None identified.

6. Implications

6.1. Financial Implications

There are no direct financial implications.

6.2. Legal Implications

There are no specific legal implications.

6.3. Equalities Implications

There are no specific equalities implications.

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no Section 17 implications.

7. Link to Corporate Priorities

Quality of Life	Delivery of an effective Standards regime; of which the Complaints Procedure is part, supports this priority.
Efficient Services	The recommendations in this report do not impact on or contribute to the Council's Efficient Services priority.
Sustainable Growth	The recommendations in this report do not impact on or contribute to the Council's Sustainable Growth priority.
The Environment	The recommendations in this report do not impact on or contribute to the Council's Environment priority.

8. Recommendation

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For more information contact:	Gemma Dennis Monitoring Officer gdennis@rushcliffe.gov.uk
Background papers available for Inspection:	Councillor's Complaint Form Councillors Complaint Procedure Councillor's Code of Conduct
List of appendices:	None